

Lyle S. Hosoda & Associates
 345 Queen St., Ste. 804
 Honolulu HI 96813

Invoice submitted to:
 Louis J. Price, Esq.
 McAfee & Taft
 211 N. Robinson Ave., 10th Floor
 Oklahoma City OK 73102

September 12, 2005

Invoice #11759

Professional services

	<u>Hrs/Rate</u>	<u>Amount</u>
<u>LHO</u>		
8/2/05 Review T. Hogan letter to Special Master re: Guidance documents; Review Reply memo re: Motion for Reconsideration; Exchange emails with defense counsel	2.00 200.00/hr	400.00
8/3/05 Review and exchange correspondence with defense counsel; Prepare Motion for Summary Judgment re: Damages	2.20 200.00/hr	440.00
8/4/05 Place telephone call to M. Dillon re: Status; Exchange email correspondence with client; Email correspondence with Plaintiff and defendant counsel re: Discovery	1.30 200.00/hr	260.00
8/5/05 Place telephone call to M. Dillon re: Status/Guidance Images, discovery, Motion for Summary Judgment reconsideration; Review	1.70 200.00/hr	340.00

Louis J. Price, Esq.

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	<u>Hrs/Rate</u>	<u>Amount</u>
PCT's draft of Motion for Summary Judgment on damages; Exchange email correspondence with Defendants		
8/8/05 Review and exchange emails with defense counsel and B. Christensen re: Discovery and declaration	1.20 200.00/hr	240.00
8/9/05 Review B. Christensen dec and documents produced re: Company sales; Review and exchange email with defense counsel	0.80 200.00/hr	160.00
8/10/05 Review and exchange email correspondence with defense counsel re: Ueno documents; Christensen dec; Review Guidance Ex Parte Motion for Leave to File Supplemental statement on Motion for Reconsideration; Place telephone call to and email L. Smith and B. Christensen	1.80 200.00/hr	360.00
Review and exchange emails with defense counsel re: Order re: Motion for Reconsideration and discovery; Review Order; Review documents; Place telephone call to B. Christensen	1.40 200.00/hr	280.00
8/12/05 Place telephone call to M. Dillon; Exchange emails with B. Christensen and defense counsel; Review letter from Plaintiff to Special Master re: Discovery	1.60 200.00/hr	320.00
8/13/05 Review Ninth circuit appeal brief in 1st case; Review and exchange emails re: Motion for Summary Judgment; Review Berry's letter to Special Master and proposal	2.70 200.00/hr	540.00

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	<u>Hrs/Rate</u>	<u>Amount</u>
response re: Discovery; Review case law on damages; Exchange correspondence with defense counsel re: Strategy		
8/15/05 Review and exchange emails re: Discovery; Research and begin preparation of Motion for Summary Judgment re: Damages; Exchange email with M. Dillon re: Operations	1.20 200.00/hr	240.00
8/16/05 Exchange correspondence with defense counsel; Review documents	1.20 200.00/hr	240.00
8/17/05 Review and exchange emails with Plaintiff's counsel and defense counsel re: T. Ueno's deposition and discovery; Place telephone call to W. Ching re: Hilo fish documents; Review correspondence from Plaintiff's counsel; Research re: Damages memo	2.20 200.00/hr	440.00
8/18/05 Draft Motion re: Damages; Exchange email correspondence with defense counsel	1.50 200.00/hr	300.00
8/20/05 Review letter from Guidance re: Special Master fees; Exchange email correspondence with defense counsel re: T. Ueno; Review T. Ueno deposition transcript; Place telephone call to W. Ching	2.50 200.00/hr	500.00
8/21/05 Review T. Ueno deposition and compare findings from W. Ching re: No report in Hilo fish	2.00 200.00/hr	400.00
8/22/05 Work on Memo in Support of damages motion; Exchange email correspondence with counsel re: T. Ueno; Followup with W. Ching re:	4.20 200.00/hr	840.00

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	<u>Hrs/Rate</u>	<u>Amount</u>
T. Ueno and Hilo fish case; Research and draft Motion for Summary Judgment re: Damages; Review correspondence		
8/23/05 Exchange email correspondence with defense counsel; Work on Motion for Summary Judgment deposition	3.50 200.00/hr	700.00
8/24/05 Review and finalize Motion for Summary Judgment damages	2.00 200.00/hr	400.00
8/30/05 Review and exchange correspondence with defense counsel; Review Special Master Order re: Discovery; Followup on status of case	1.40 200.00/hr	280.00
 SUBTOTAL:	 [38.40	 7,680.00]
 <u>RM</u>		
8/1/05 Draft outline of Motion for Summary Judgment re: Damages; Draft introduction to Motion for Summary Judgment; Review T. Ueno report; Review correspondence from D. Capozzola re: Sureply	0.60 125.00/hr	75.00
8/2/05 Review deposition of T. Ueno; Review report of J. Kinrich; Research issue of damages for indirect profits; Draft fact section of Motion for Summary Judgment on damages; Research issue of actual damages	3.10 125.00/hr	387.50
Review Plaintiff's reply re: Motion for Reconsideration	1.00 125.00/hr	125.00

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	<u>Hrs/Rate</u>	<u>Amount</u>
8/3/05 Draft fact section of Motion for Summary Judgment re: T. Ueno testimony; Draft argument section of Motion for Summary Judgment re: Damages; Review Berry's reply re: Motion for Summary Judgment	7.30 125.00/hr	912.50
8/4/05 Draft letter to M. Dillon re: Berry's reply re: Reconsideration motion; Review PCT draft Motion for Summary Judgment re: Damages; Review correspondence from D. Capozzola re: Y. Hata letter as exhibit; Review correspondence from T. Hogan re: Y. Hata document filed under seal, Motion for Summary Judgment on damages	1.40 125.00/hr	175.00
Draft Motion for Summary Judgment on damages, took highlights from T. Ueno's deposition	0.90 125.00/hr	112.50
8/8/05 Review correspondence from D. Capozzola re: APS; Review draft motion and supporting declarations; Review letter to R. Mersky; Draft correspondence to B. Christensen re: Draft dec; Review files re: Dec and deposition testimony of B. Christensen; Draft correspondence to D. Capozzola re: B. Christensen; Review correspondence from D. Capozzola re: Receipt of deposition transcript and dec; Review correspondence from B. Christensen and revisions to proposed dec	1.40 125.00/hr	175.00
8/9/05 Review correspondence from D. Capozzola re: Contracts between Fleming and Foodland; Review correspondence to L. Smith re: 2003 contract re: Fleming and	2.30 125.00/hr	287.50

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	<u>Hrs/Rate</u>	<u>Amount</u>
Foodland; Place telephone call to B. Christensen re: Supply agreement; Review supply agreement and sell plan; Create pdf of supply agreement; Draft correspondence to D. Capozzola re: Same; Review correspondence from D. Capozzola re: Hogan and statutory damages; Research Feltner case; Review Summary Judgment hearing transcript re: Hogan's position on statutory damages; Review correspondence from D. Capozzola re: Agreement with other retailers; Place telephone call to B. Christensen re: Agreements with other retailers		
8/9/05 Review Guidance's ex parte motion to file supplemental position to reconsideration motion	0.30 125.00/hr	37.50
8/10/05 Review correspondence from D. Capozzola re: Pricing information; Draft correspondence to B. Christensen re: Same; Review correspondence from client re: Fleming claim against Centra	0.30 125.00/hr	37.50
8/11/05 Review order denying Berry's Motion for Reconsideration; Review correspondence from D. Capozzola re: Outstanding discovery issues; Review files from D. Capozzola re: Discovery	0.60 125.00/hr	75.00
8/12/05 Draft Motion for Summary Judgment re: Damages	2.10 125.00/hr	262.50
8/15/05 Review correspondence from T. Hogan re: Letter to discovery master; Review correspondence from D. Capozzola re: Response to Hogan	0.60 125.00/hr	75.00

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	<u>Hrs/Rate</u>	<u>Amount</u>
letter re: Discovery; Review correspondence from L. Smith re: T. Ueno discovery; Review correspondence from D. Capozzola re: Appellate brief; Review correspondence from T. Hogan and C. Capozzola re: Production of T. Ueno discovery to Kinrich; Review correspondence from M. Dillon re: Judge Mollway's denial of Motion for Reconsideration		
8/16/05 Review correspondence from client re: Alleged files still on C&S system; Review correspondence from D. Capozzola re: T. Ueno documents; Review previous orders re: PI motion and Motions for Summary Judgment; Draft Motion for Summary Judgment re: Damages; Review T. Ueno and Kinrich expert reports; Draft summary synthesizing T. Ueno report; Pull T. Ueno deposition and highlighted excerpts for exhibit to Motion for Summary Judgment; Research issue of fair market value re: Damages	6.90 125.00/hr	862.50
8/17/05 Review correspondence from D. Capozzola re: Hilo fish documents re: T. Ueno	0.10 125.00/hr	12.50
8/19/05 Draft Motion for Summary Judgment re: Damages	4.10 125.00/hr	512.50
8/20/05 Draft Motion for Summary Judgment re: Damages	3.10 125.00/hr	387.50
8/22/05 Draft Motion for Summary Judgment re: Damages	3.70 125.00/hr	462.50

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	<u>Hrs/Rate</u>	<u>Amount</u>
8/22/05 Review restructured Motion for Summary Judgment from D. Capozzola; Revise Motion for Summary Judgment re: Damages; Draft concise statement of facts; Draft ex parte motion to file under seal because of Kinrich report; Draft table of contents and table of authorities; Draft affidavit of L. Hosoda in support of concise statment of facts; Shepardize cases cited in brief	4.30 125.00/hr	537.50
8/23/05 Review correspondence from L. Smith re: Motion for Summary Judgment on damages; Draft correspondence to A. Teranishi re: Deposition transcript; Review correspondence from J. Keane re: T. Ueno deposition; Revise concise statement of facts, counsel's affidavit, and motion to reflect damages only issue for trial	3.30 125.00/hr	412.50
8/24/05 Review correspondence from D. Capozzola re: Filing CSF under seal; Review correspondence from L. Smith re: Motion for Summary Judgment hearing date and time; Revise ex parte motion to file under seal to seal only CSF; Revise CSF; Prepare Motion for Summary Judgment, CSF and ex parte motion to file under seal for filing and service; Place telephone call to A. Teranishi re: Hearing date on Motion for Summary Judgment remains on for hearing on 10/3; Draft correspondence to L. Smith and D. Capozzola re: Hearing date and time; Place telephone call to A. Teranish re: 10/11 hearing date; Place telephone call	2.90 125.00/hr	362.50

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	<u>Hrs/Rate</u>	<u>Amount</u>
to T. Fujinaga re: Move both motions to 10/11; Review correspondence from A. Teranishi confirming new hearing date and time; Draft amended notice of hearing; Place telephone call to T. Fujinaga re: Hearing date and time for Motion for Summary Judgment on damages		
8/25/05 Place telephone call to L. Smith re: Got new hearing date and time, will file amended notice	0.10 125.00/hr	12.50
8/27/05 Review correspondence from D. Capozzola re: Employees' Motion for Summary Judgment on damages	0.10 125.00/hr	12.50
8/29/05 Review order from Matsui denying discovery of F-1 program and awarding sanctions against Berry	0.20 125.00/hr	25.00
8/31/05 Draft letter to clients re: Filed Motion for Summary Judgment on damages; Review correspondence from L. Smith	1.00 125.00/hr	125.00
 SUBTOTAL:	 [51.70	 6,462.50]
 For professional services rendered	 90.10	 \$14,142.50
Additional charges:		
<u>LHO</u>		
8/12/05 Postage		4.80
Xerox		12.00

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	<u>Amount</u>
8/15/05 Deposition of Thomas Ueno taken on 7/22/05	567.80
8/24/05 Xerox	153.00
Postage	8.55
Xerox	89.40
8/25/05 Xerox	6.00
8/26/05 Postage	0.60
 SUBTOTAL:	 [842.15]
 Total costs	 \$842.15
Service tax	\$589.18
Total amount of this bill	\$15,573.83
Previous balance	\$20,133.62
8/29/05 Payment - thank you	(\$20,133.62)
Balance due	<u>\$15,573.83</u>

Lyle S. Hosoda & Associates
 345 Queen St., Ste. 804
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Invoice submitted to:
 Louis J. Price, Esq.
 McAfee & Taft
 211 N. Robinson Ave., 10th Floor
 Oklahoma City OK 73102

October 12, 2005

Invoice #11771

Professional services

	<u>Hrs/Rate</u>	<u>Amount</u>
<u>LHO</u>		
9/10/05 Review Plaintiff's appeal of Special Master's decision re: Fed program; Review status and correspondence	1.20 200.00/hr	240.00
9/15/05 Review correspondence and documents; Correspondence with defense counsel	0.60 200.00/hr	120.00
9/19/05 Review M. Kobayashi Order denying Plaintiff's Motion/appeal re: F-1 documents; Review draft re: f-1 documents; Strategize; Place telephone call to L. Smith re: Status; Research re: Reply memo re: Opposition to Motion for Summary Judgment for damages; Exchange correspondence with defense counsel	1.70 200.00/hr	340.00

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	<u>Hrs/Rate</u>	<u>Amount</u>
9/20/05 Review Plaintiff's supplement to submission of order denying Plaintiff's request for F-1 program; Review of Plaintiff's opposition to Motion for Summary Judgment re: Damages; Review email exchange by defense counsel; Review documents; Begin research	3.00 200.00/hr	600.00
9/21/05 Place telephone call to L. Smith re: Status; Research re: Damages - statutory and profit analysis; Begin preparation of reply brief; Draft letter to clients re: Status; Followup re: S. Purdy issue	2.50 200.00/hr	500.00
9/22/05 Research re: Reply Motion for Summary Judgment	2.80 200.00/hr	560.00
9/23/05 Review memo from Court re: Final PTC; Research re: Damages - Motion for Summary Judgment; Review documents and correspondence; Place telephone call to client re: Status	3.50 200.00/hr	700.00
9/24/05 Research re: Damages for Reply to Motion for Summary Judgment	3.00 200.00/hr	600.00
9/25/05 Work on damages research for Reply Motion for Summary Judgment	2.50 200.00/hr	500.00
9/26/05 Review Plaintiff's errata sheet re: Concise statement of facts; Review and exchange communication with defense counsel re: Strategy on reply memo to damages Motion for Summary Judgment; Review PCT reply memo; Research and draft reply memo	4.00 200.00/hr	800.00
9/27/05 Work on reply memo	2.00 200.00/hr	400.00

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	<u>Hrs/Rate</u>	<u>Amount</u>
9/28/05 Work on reply memo	3.00 200.00/hr	600.00
9/29/05 Work on Reply memo re: Damages	3.00 200.00/hr	600.00
9/30/05 Review and finalize reply memo on damages Motion for Summary Judgment; Review PCT's reply re: Damages	4.00 200.00/hr	800.00
 SUBTOTAL:	 [36.80	 7,360.00]
 <u>RM</u>		
9/9/05 Review Berry's ex parte motion to file under seal and statement of appeal re: Master's discovery order on F1	0.40 125.00/hr	50.00
Draft correspondence to L. Smith re: Appeal of discovery master's order	0.10 125.00/hr	12.50
9/12/05 Draft correspondence to M. Dillon re: F1 report; Draft shell of reply memo in support of Motion for Summary Judgment re: Damages; Review correspondence to Judge Mollway re: Status conference re: Apportionment of discovery master fees; Calendar due date for opposition to appeal of master's order re: F1 project	0.80 125.00/hr	100.00
9/15/05 Review Berry's opposition to PCT and Employees Motion for Summary Judgment re: Damages; Review Berry's CSF; Create pdf of Berry's exhibit for transmission to client; Review correspondence from D. Capozzola re: Berry opposition;	3.80 125.00/hr	475.00

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	<u>Hrs/Rate</u>	<u>Amount</u>
Research cases cited by Berry in Motion for Summary Judgment; Draft outline of response; Review Complaint for joint and several liability; Research issue of joint and several liability re: Damages		
9/16/05 Review PCT's opposition to Berry's statement of appeal re: Discovery master's order on f1 project	0.30 125.00/hr	37.50
9/19/05 Review order denying Berry's appeal because premature; Review hearing transcript on Motions for Summary Judgment for reply memo in support of motion for damages; Draft outline reply memo; Research issue of fair market value re: Damages	2.40 125.00/hr	300.00
9/20/05 Draft outline of response; Review hearing transcript on Motions for Summary Judgment; Review Complaint re: Joint and several liability; Review correspondence from D. Capozzola re: Issues; Research issue of reasonable license fee, fair market value	4.10 125.00/hr	512.50
9/21/05 Meet with L. Hosoda re: Reply in support of Motion for Summary Judgment re: Damages; Create pdf re: Berry exhibit; Draft correspondence to T. Noa re: Email; Review correspondence from J. Keane re: Hearing transcript; Draft correspondence to all clients re: Motion for Summary Judgment re: Damages; Research issue of fair market value; Review all cases cited by Berry in opposition; Draft outline of reply	4.50 125.00/hr	562.50

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	<u>Hrs/Rate</u>	<u>Amount</u>
9/22/05 Draft reply in support of Motion for Summary Judgment damages; Review correspondence from client re: Damages motion	1.50 125.00/hr	187.50
9/23/05 Research issue of indirect profits, reasonable license fee; Draft reply in support of Summary Judgment on damages; Review correspondence from D. Capozzola re: Status of reply	3.30 125.00/hr	412.50
9/24/05 Review second amended complaint; Review correspondence from D. Capozzola re: Summary Judgment reply; Review opposition and exhibits; Review Berry's dec re: T. Noa; Draft Summary Judgment reply	1.90 125.00/hr	237.50
9/26/05 Draft Summary Judgment reply; Review revised Fleming draft of Summary Judgment reply; Draft correspondence to D. Capozzola re: Court rulings; Draft affidavit in support of Summary Judgment; Place telephone call to T. Noa re: Berry's declaration	6.10 125.00/hr	762.50
9/27/05 Revise Summary Judgment reply; Prepare exhibits; Draft correspondence to L. Smith re: Draft of Summary Judgment reply;	4.50 125.00/hr	562.50
 SUBTOTAL:	 [33.70	 4,212.50]
 For professional services rendered	 70.50	 \$11,572.50

Louis J. Price, Esq.

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Additional charges:

	<u>Amount</u>
<u>LHO</u>	
9/13/05 Fax	30.00
Xerox	11.80
9/21/05 Postage	2.96
Xerox	0.80
9/30/05 Xerox	65.20
 SUBTOTAL:	 [110.76]
 Total costs	 \$110.76
Service tax	\$482.11
Total amount of this bill	\$12,165.37
Previous balance	\$15,573.83
10/1/05 Payment - thank you	(\$15,573.83)
Balance due	\$12,165.37

Lyle S. Hosoda & Associates
 345 Queen St., Ste. 804
 Honolulu HI 96813

Invoice submitted to:
 Louis J. Price, Esq.
 McAfee & Taft
 211 N. Robinson Ave., 10th Floor
 Oklahoma City OK 73102

November 14, 2005

Invoice #11787

Professional services

	<u>Hrs/Rate</u>	<u>Amount</u>
<u>LHO</u>		
10/2/05 Review PCT's reply re: Motion for Summary Judgment damages; Review PCT's evidence objections	0.70 200.00/hr	140.00
10/3/05 Review documents and correspondence	0.60 200.00/hr	120.00
10/5/05 Review Plaintiff's appeal re: F-1 program; Review Special Master's ruling/order re: Guidance file	0.70 200.00/hr	140.00
10/6/05 Exchange correspondence between defense counsel; Prepare for hearing	0.70 200.00/hr	140.00
10/7/05 Review Judge Kobayashi order re: Guidance material	0.30 200.00/hr	60.00
10/8/05 Review and prepare for hearing	1.50 200.00/hr	300.00

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	<u>Hrs/Rate</u>	<u>Amount</u>
10/9/05 Review pleadings and cases for Motion for Summary Judgment hearing	2.20 200.00/hr	440.00
10/10/05 Review pleadings; Study Mackey and Polar Bear cases Frank Music and Wilden Pump; Prepare for oral argument; Meeting with defense counsel	5.00 200.00/hr	1,000.00
10/11/05 Review documents and pleadings; Prepare for argument on Motion for Summary Judgment re: Damages before Judge Mollway; Attend hearing re: Damages before Judge Mollway; Attend hearing re: Motion for Summary Judgment damages	4.00 200.00/hr	800.00
10/12/05 Review F-1 appeal brief; Followup with defense counsel re: Results of Motion for Summary Judgment hearing and offer of judgment; Review documents and correspondence	0.80 200.00/hr	160.00
10/14/05 Review correspondence among defense counsel; Place telephone call to L. Smith; Review documents; Review opposition brief re: F-1 documents	1.20 200.00/hr	240.00
10/15/05 Review and exchange email correspondence re: Defense counsel "gig chester" images	0.40 200.00/hr	80.00
10/18/05 Conference call wiht Judge Mollway re: Motion for Summary Judgment on damages; Review of Plainitff's statement of appeal	1.20 200.00/hr	240.00
10/19/05 Review Plaintiff's appeal; Strategize re: Brief to Magistrate Kobayashi on damages; Review documents and exchange correspondence with defense counsel	0.70 200.00/hr	140.00

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	<u>Hrs/Rate</u>	<u>Amount</u>
10/20/05 Review briefs on how damage issue will be presented to jury; Exchange correspondence with defense counsel	0.70 200.00/hr	140.00
10/21/05 Review and exchange correspondence	0.60 200.00/hr	120.00
10/24/05 Review and exchange correspondence with Plaintiff's counsel	0.60 200.00/hr	120.00
10/26/05 Review and exchange correspondence	0.40 200.00/hr	80.00
10/31/05 Review correspondence; Review Court Order; Draft correspondence re: Special Master's decision	0.60 200.00/hr	120.00
 SUBTOTAL:	 [22.90	 4,580.00]

 RM

10/11/05 Prepare for hearing on damages Motion for Summary Judgment; Prepare outline of oral argument; Review cases cited in briefs; Attend hearing on damages Motion for Summary Judgment; Meet with E. Liebler, L. Smith and A. Teranishi re: Hearing; Review order from L. Kobayashi re: Adoption of discovery master's order re: F-1 program	5.20 125.00/hr	650.00
10/13/05 Review correspondence from appellate response to F-1 issues; Draft memo	0.30 125.00/hr	37.50
10/18/05 Place telephone call to T. Fujinaga re: Scheduling conference call with Judge Mollway; Conference call re: Procedure for trial on damages; Meet with L. Hosoda re: Submission	2.70 125.00/hr	337.50

Louis J. Price, Esq.

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	<u>Hrs/Rate</u>	<u>Amount</u>
of letter brief on procedural aspect of trial on damages and issues for trial; Research issue of damages for letter brief and trial		
10/19/05 Review Berry's statement of appeal re: Files produced by Guidance; Pull correspondence re: Guidance materials	1.70 125.00/hr	212.50
10/20/05 Review Berry's memo re: Timing of election; Review correspondence and bench brief from D. Capozzola re: election of statutory damages; Research issue of damages, jury selections	1.40 125.00/hr	175.00
10/21/05 Review correspondence from T. Hogan to Special Master re: Production of files by Guidance	0.50 125.00/hr	62.50
10/31/05 Review order denying motions for Summary Judgment; Begin drafting letter to clients re: Order on damages; Review correspondence and pleadings re: Discovery cut off deadline		0.00
 SUBTOTAL:	 [11.80	 1,475.00]
 For professional services rendered	 34.70	 \$6,055.00
Service tax		\$252.25
Total amount of this bill		\$6,307.25
Previous balance		\$12,165.37

Louis J. Price, Esq.

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10/24/05 Payment - thank you

Amount
(\$12,165.37)

Balance due

\$6,307.25

Lyle S. Hosoda & Associates
 345 Queen St., Ste. 804
 Honolulu HI 96813

Invoice submitted to:
 Louis J. Price, Esq.
 McAfee & Taft
 211 N. Robinson Ave., 10th Floor
 Oklahoma City OK 73102

December 28, 2005

Invoice #11806

Professional services

	<u>Hrs/Rate</u>	<u>Amount</u>
11/1/05 Review and exchange correspondence with Plaintiff's counsel and defense counsel; Review letter to Special Master	0.70 200.00/hr	140.00
11/2/05 Review and exchange email correspondence; Review correspondence from R. Fujichaku; Review correspondence from L. Smith; Review Order re: Motion for Summary Judgment; Strategize re: Motion in Limine and trial preparation	2.70 200.00/hr	540.00
11/4/05 Exchange email correspondence; Review settlement offer; Review trial transcript	1.70 200.00/hr	340.00
11/5/05 Review trial transcript; Review settlement offer; Exchange email correspondence with L. Smith	2.50 200.00/hr	500.00

Louis J. Price, Esq.

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	<u>Hrs/Rate</u>	<u>Amount</u>
11/7/05 Draft letter to clients re: Settlement offer; Review trial testimony	1.20 200.00/hr	240.00
11/8/05 Review documents and correspondence; Review jury instructions; Review Guidance response	1.60 200.00/hr	320.00
11/9/05 Review documents and correspondence	1.20 200.00/hr	240.00
11/10/05 Review jury instructions	2.50 200.00/hr	500.00
11/11/05 Review and exchange correspondence with defense counsel	1.20 200.00/hr	240.00
11/14/05 Review PTS	1.20 200.00/hr	240.00
11/15/05 Place telephone call to L. Smith re: Trial preparation and strategy; Review PTS; Review jury instructions	1.60 200.00/hr	320.00
11/16/05 Research re: Damages; Begin outline for trial memo and closing argument	2.50 200.00/hr	500.00
11/17/05 Trial preparation	3.00 200.00/hr	600.00
11/18/05 Conference call with L. Smith, D. Capozzola and E. Liebeler re: Trial preparation; Review documents and deposition prep list of motions in limine; Strategize re: Motions in limine	2.70 200.00/hr	540.00
11/19/05 Conference call with defense counsel; Review correspondence; Research re: Motions in limine	3.50 200.00/hr	700.00

Louis J. Price, Esq.

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	<u>Hrs/Rate</u>	<u>Amount</u>
11/20/05 Review depositions for Motion in Limine	3.00 200.00/hr	600.00
11/21/05 Review jury instructions; Review deposition transcripts	2.00 200.00/hr	400.00
11/22/05 Review documents; Review deposition transcripts; Prepare for trial	2.30 200.00/hr	460.00
11/23/05 Research re: Motion in limine	1.80 200.00/hr	360.00
11/25/05 Exchange email correspondence with defense counsel; Review documents; Prepare for Trial	2.80 200.00/hr	560.00
11/26/05 Work on trial memo	2.50 200.00/hr	500.00
11/27/05 Trial preparation	2.00 200.00/hr	400.00
11/28/05 Review trial brief and motion in limine re: Statutory damages	3.20 200.00/hr	640.00
11/29/05 Review and exchange correspondence with defense counsel; Review and prepare for trial	3.00 200.00/hr	600.00
11/30/05 Exchange correspondence with defense counsel; Prepare for Trial	3.50 200.00/hr	700.00
11/1/05 Review correspondence from T. Hogan to Special Master re: Guidance Materials; Draft correspondence to D. Capozzola re: Holiday schedule in light of trial deadlines; Draft letter to clients re: Order on damages, Trial	2.40 125.00/hr	300.00

Louis J. Price, Esq.

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	<u>Hrs/Rate</u>	<u>Amount</u>
11/2/05 Review Berry's motion for order to show cause why Guidance not be held in contempt; Review Berry's motion for permanent injunction; Draft memo re: Trial issues and preparation	1.30 125.00/hr	162.50
11/3/05 Review draft Jury instructions; Research Judge Mollway's jury instructions, trial procedures; Draft memo to L. Hosoda re: Jury instructions for employees re: Actual damages; Research re: Federal civil jury instructions	2.30 125.00/hr	287.50
11/4/05 Draft memo re: Jury instructions; Pull exhibits used by Berry re: Damages for trial; Draft shell of witness/exhibit list; Draft memo re: Trial preparation; Draft shell of Motion in limine; Draft shell of opposition to Motion for permanent injunctions; Draft shell of trial brief; Draft outline of trial brief; Review correspondence from T. Hogan to C. Matsui re: NTI; Review correspondence from T. Hogan re: Offer of settlement for \$200K for the employee; Draft letter to clients re: Settlement offer	4.80 125.00/hr	600.00
11/5/05 Research issue of motions in limine	0.60 125.00/hr	75.00
11/7/05 Review correspondence from L. Smith re: Berry's testimony in Sea Land trial; Review correspondence from R. Fujichaku re: Guidance materials; Draft correspondence to L. Smith re: Settlement; Review correspondence to L. Smith re: Trial; Research re: Motions in	4.30 125.00/hr	537.50

Louis J. Price, Esq.

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	<u>Hrs/Rate</u>	<u>Amount</u>
limine, expert testimony; Summarize deposition of W. Berry; Revise trial prep memo; Draft law section of motion in limine to exclude Ueno report and testimony		
11/8/05 Review correspondence to clients re: Settlement offer; Review local rules re: PTS; Draft PTS	2.20 125.00/hr	275.00
Review correspondence from D. Capozzola re: Revised proposed JIS; Review revised proposed JIS	0.50 125.00/hr	62.50
11/12/05 Review correspondence from D. Capozzola re: PTS; Review correspondence from T. Hogan re: Guidance Images, unallocated clusters; Review correspondence from L. Smith re: Waiting for M. Walker to review files, object to production; Review correspondence from T. Hogan re: Wants Berry to be expert on SQL	0.30 125.00/hr	37.50
11/14/05 Review correspondence from D. Capozzola re: Draft PTS; Review draft PTS	0.20 125.00/hr	25.00
Draft correspondence to D. Capozzola re: Comments to draft PTS	0.50 125.00/hr	62.50
Review Guidance and PCT's opposition to Berry's OSC re: Sanctions against Guidance	0.40 125.00/hr	50.00
11/15/05 Review correspondence from D. Capozzola; Review further revised PTS; Draft summary of motions and orders; Summarize deposition to W. Berry; Pull declarations and affidavits of W. Berry for trial exhibits	3.60 125.00/hr	450.00

Louis J. Price, Esq.

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	<u>Hrs/Rate</u>	<u>Amount</u>
11/17/05 Review correspondence from D. Capozzola re: Concise statement of facts, motions in limine; Draft correspondence to D. Capozzola re: Suggested motions in limine; Review correspondence from E. Liebeler; Meet with L. Hosoda re: Trial preparation; Review correspondence to D. Capozzola re: Conference call on trial prep; Review correspondence from L. Smith re: Conference call on trial prep	0.70 125.00/hr	87.50
11/18/05 Conference call with D. Capozzola, and L. Smith re: Trial preparation; Draft memo re: trial prep, witnesses, exhibits; Draft outline re: Opening statement	1.10 125.00/hr	137.50
Review correspondence from D. Capozzola re: JIS being Fedex'd for review and comment	0.10 125.00/hr	12.50
11/21/05 Review correspondence from D. Capozzola re: Voir dire; Review correspondence from D. Capozzola re: Dividing up motions in limine; Summarize deposition of W. Berry, Professor Johnson	2.60 125.00/hr	325.00
11/22/05 Summarize W. Berry's deposition; Review exhibits to Motion for Summary Judgment re: Damages; Review JIS and draft memo re: Comments; Review jury verdict form; Pull cases cited in JIS; Review exhibits to Berry's deposition for relevancy to damages issue	5.60 125.00/hr	700.00

Louis J. Price, Esq.

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	<u>Hrs/Rate</u>	<u>Amount</u>
11/23/05 Draft correspondence to D. Capozzola re: Comments to JIS; Summarize deposition of T. Ueno and M. Dillon; Pull exhibits from Hogan declarations	5.20 125.00/hr	650.00
11/28/05 Review draft trial brief, motion in limine; Review correspondence from D. Capozzola re: Jury instructions, witnesses, profits/damages issues; Review correspondence from L. Smith re: Damages issue; Pull declarations of W. Berry; Summarize decs and affidavits filed by W. Berry; Summarize deposition of W. Berry; Summarize deposition of Dr. Johnson	6.40 125.00/hr	800.00
11/29/05 Summarize deposition of P. Johnson; Review correspondence from D. Capozzola re: Meeting with C. Matsui following OSC hearing; Review correspondence from L. Smith re: Evidence that Ponce and Fukumoto used software; Review and summarize dec of W. Berry; Review correspondence from L. Smith re: Meeting with C. Matsui	3.20 125.00/hr	400.00
For professional services rendered	104.20	\$17,217.50
Additional charges:		
11/1/05 Postage		17.68
Xerox		142.00
11/7/05 Xerox		1.20
Fax		6.00

Louis J. Price, Esq.

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	<u>Amount</u>
11/8/05 Postage	2.96
Xerox	4.80
11/16/05 Transcript Cynthia Fazio	40.64
Total costs	<u>\$215.28</u>
Service tax	<u>\$717.28</u>
Total amount of this bill	<u>\$18,150.06</u>
Previous balance	\$6,307.25
12/4/05 Payment - thank you	<u>(\$6,307.25)</u>
Balance due	<u><u>\$18,150.06</u></u>

Lyle S. Hosoda & Associates
 345 Queen St., Ste. 804
 Honolulu HI 96813

Invoice submitted to:
 Louis J. Price, Esq.
 McAfee & Taft
 211 N. Robinson Ave., 10th Floor
 Oklahoma City OK 73102

January 23, 2006

Invoice #11824

Professional services

	<u>Hrs/Rate</u>	<u>Amount</u>
<u>LHO</u>		
12/1/05 Review documents and prepare for trial; Exchange correspondence with defense counsel; Appear before Magistrate Kobayashi re: Plaintiff's motion re: Guidance; Meeting with Special Master	5.50 200.00/hr	1,100.00
12/2/05 Review documents; Prepare for trial	2.50 200.00/hr	500.00
12/3/05 Prepare for Trial	2.00 200.00/hr	400.00
12/5/05 Review PTS; Prepare supplement; Prepare for settlement conference	2.50 200.00/hr	500.00
12/6/05 Prepare for Trial; Draft Motions in Limine	3.70 200.00/hr	740.00
12/7/05 Prepare for Trial	3.00 200.00/hr	600.00

Louis J. Price, Esq.

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	<u>Hrs/Rate</u>	<u>Amount</u>
12/8/05 Work on Motions in Limine; Conference call with Counsel	4.00 200.00/hr	800.00
12/9/05 Conference call with defense counsel; Place telephone call to T. Noa; Place telephone call to B. Christensen; Prepare for Trial	5.00 200.00/hr	1,000.00
12/10/05 Work on Motions in Limine	4.00 225.00/hr	900.00
12/11/05 Prepare for Trial	3.00 200.00/hr	600.00
12/12/05 Review documents; Prepare for Trial; Communicate with defense counsel; Place telephone call to T. Noa, J. Kinrich and D. Capozzola	4.00 200.00/hr	800.00
12/13/05 Prepare for Trial	2.00 200.00/hr	400.00
12/14/05 Review depositions testimony and prepare for trial	2.50 200.00/hr	500.00
12/15/05 Exchange correspondence with defense counsel; Review documents and depositions; Prepare for Trial; Review order re: Guidance unallocated cluster's	1.20 200.00/hr	240.00
12/16/05 Trial preparation	2.00 200.00/hr	400.00
12/18/05 Review Motions in Limine; Research re: Damages	3.20 200.00/hr	640.00
12/19/05 Prepare for Trial; Correspondence with defense counsel; Review damages jury instructions	3.50 200.00/hr	700.00

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	<u>Hrs/Rate</u>	<u>Amount</u>
12/20/05 Exchange correspondence with counsel; Review Motions in Limine; Review potential exhibits	3.00 200.00/hr	600.00
12/21/05 Conference calls with L. Smith and D. Lee; Review documents and strategize re: Exhibits; Prepare for Trial	4.00 200.00/hr	800.00
12/22/05 Prepare for Trial; Exchange email correspondence with defense counsel; Review exhibits; Conference call with defense counsel	4.00 200.00/hr	800.00
12/23/05 Conference call with defense counsel; Review exhibits; Prepare for Trial and conference call with experts	2.70 200.00/hr	540.00
12/24/05 Review expert reports; Place telephone call to L. Smith; Prepare for Trial	3.50 200.00/hr	700.00
12/25/05 Review deposition testimony; Prepare for conference calls	2.00 200.00/hr	400.00
12/26/05 Conference calls wiht J. Kinrich, L. Smith, E. Liebeler, K. Gold, T. Noa and M. Dillon; Conference call with Marty, L. Smith, T. Noa and M. Dillon; Review documents; Prepare for Trial	5.00 200.00/hr	1,000.00
12/27/05 Place telephone call to L. Smith; Review exhibits; Review Plaintiff's exhibits; Correspondence with defense counsel; Prepare for Trial	5.00 200.00/hr	1,000.00
12/28/05 Prepare for Trial	4.00 200.00/hr	800.00

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	<u>Hrs/Rate</u>	<u>Amount</u>
12/29/05 Review exhibits; Prepare for meeting	4.50 200.00/hr	900.00
12/30/05 Review documents; Exchange correspondence with Plaintiff's counsel; Review exhibits; Exchange correspondence with defense counsel; Meeting with L. Smith and plaintiff's counsel re: Exhibits	5.00 200.00/hr	1,000.00
12/31/05 Review exhibits; Prepare for Trial	3.00 200.00/hr	600.00
 SUBTOTAL:	 [99.30	 19,960.00]
 RM		
12/1/05 Prepare for OSC hearing; Review order appointing Special master; Attend OSC hearing; Attend meeting with Special Master; Review Special Master's order; Draft supplement to PTS	3.40 125.00/hr	425.00
Summarize decs of T. Hogan and exhibits	0.90 125.00/hr	112.50
12/2/05 Review correspondence from D. Capozzola; Review PTS; Meet with L. Hosoda re: Joinder to PTS; Summarize decs of T. Hogan	1.30 125.00/hr	162.50
12/5/05 Review correspondence from D. Capozzola; Review PTS, Exhibit C; Review excerpts of deposition of B. Christensen; Review correspondence from L. Smith; Summarize decs and exhibits of T. Hogan	1.70 125.00/hr	212.50

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	<u>Hrs/Rate</u>	<u>Amount</u>
12/5/05 Place telephone call to A. Teranishi re: Signature on PTS	0.10 125.00/hr	12.50
Summarize deposition of Professor Johnson; Summarize deposition of T. Ueno; Place telephone call to B. Abe re: PTS; Execute PTS	2.90 125.00/hr	362.50
12/6/05 Review correspondence from D. Capozzola re: B. Chirstensen as witness; Review exhibits from B. Christensens' deposition; Review correspondence from L. Smith re: Conference call; Place telephone call to B. Abe re: Documents relied upon by Kinrich; Review Berry's PTS; Create list of potential exhibits by Plaintiff; Review documents production by employees for trial exhibits; Place telephone call to S. Dunn re: Chronology of documnets produced by employees; Trial preparation of prior deposition, trial and hearing testimony of M. Dillon; Trial preparation of prior trial testimony of T. Noa	3.40 125.00/hr	425.00
12/7/05 Review correspondence from D. Capozzola re: Berry's PTS; Create table of Berry's exhibits for objections; Draft memo re: Berry's exhibits re: Employees, basis for MIL; Summarize deposition of M. Dillon Place telephone call to B. Christensen re: Trial testimony, conference call with D. Capozzola and L. Smith	3.20 125.00/hr	400.00
12/8/05 Conference call to T. Noa re: Availability for conference call with counsel and trial; Review correspondence from D. Capozzola	5.20 125.00/hr	650.00

Louis J. Price, Esq.

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	<u>Hrs/Rate</u>	<u>Amount</u>
re: Financial documents; Review Kinrich report and sources; Draft correspondence to B. Christensen re: Financial documents; Conference call with D. Capozzola, L. Smith and B. Christensen re: Trial; Conference call with D. Capozzola, L. Smith and T. Noa re: Trial; Review correspondence from T. Hogan re: Service of subpoenas on witnesses; Review correspondence from L. Smith re; Computers at C&S; Review correspondence to M. Dillon re: Reviewing files on computers; Summarize deposition of M. Dillon; Summarize deposition of B. Christensen; Meet with D. Matsuda re: Witness binders; Review prior trial testimony of M. Dillon and T. Noa		
12/9/05 Draft correspondence to B. Christensen re: Trial; Draft correspondence to T. Noa re: Trial, arrangements to be present; Review correspondence from T. Hogan re: Service on clients	0.50 125.00/hr	62.50
12/10/05 Summarize deposition of B. Christensen	1.40 125.00/hr	175.00
12/12/05 Attend final pretrial conference; Meet with L. Smith and E. Liebeler re: T. Noa, profits of logistics department; Draft correspondence to T. Noa re: Conference call; Review correspondence from T. Noa re: Will be available for conference call; Review correspondence from M. Dillon re: Travel over the holidays; Prepare for final pre trial conference;	5.60 125.00/hr	700.00

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	<u>Hrs/Rate</u>	<u>Amount</u>
Meet with L. Hosoda re: Stipulation on record will produce clients for trial without subpoena; Draft memo to file re: Trial procedures, request hearing on MILs through Judge Mollway's courtroom manager; Conference call with T. Noa, J. Kinrich, L. Smith and D. Capozzola re: Software and logistics dept.; Place telephone call to T. Noa re: Previous emails produced in discovery that Berry may use at trial; Conference call with M. Dillon and L. Smith re: ASP, crystal reports and mdb files; Create witness binders; Draft memo re: relevant pleadings, affidavits, exhibits of each witness		
12/13/05 Review draft MIL re: Dillon testimony and made comments; Review correspondence from T. Hogan re: Three other Fleming employees; Review correspondence from L. Smith re: Trial witnesses to be called by Berry; Review correspondence to T. Noa re: R. Hatch; Review correspondence from D. Capozzola, L. Smith re: Criminal trial set on same date; Review correspondence from T. Noa re: Present employmnet of R. Hatch; Place telephone call to D. Capozzola re: Separate jury instruction on vicarious infringement; Summarize deposition prior hearing testimony of M. Dillon; Draft correspondence to B. Christensen re: HEX employees on West Coast; Review Berry dec and Dillon testimony re: Changes to FCS; Review exhibits for direct	6.70 125.00/hr	837.50

Louis J. Price, Esq.

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	<u>Hrs/Rate</u>	<u>Amount</u>
exam of M. Dillon; Review Affidavits of other employees; Draft direct exam of other employees; Review exhibits relied by Berry in previous motions for exhibit selection		
12/14/05 Review correspondence from D. Capozzola re: Internal trial deadlines; Review and summarize deposition of B. Christensen; Review and summarize deposition of A. Waiolama; Review and summarize deposition of J. Rio; Create witness binders with exhibits, prior deposition, hearing and trial testimony flagged key exhibits	8.30 125.00/hr	1,037.50
12/15/05 Review declarations, trial testimony, exhibits re: M. Dillon; Draft direct examination of M. Dillon	5.40 125.00/hr	675.00
12/16/05 Review files from M. Dillon; Revise direct examination of M. Dillon; Update witness binders with supplemental decs and exhibits; Draft direct exam of A. Waiolama; Review Berry's PTS re: Exhibits; Draft table of Berry's exhibits for objections	7.80 125.00/hr	975.00
12/19/05 Reivew correspondence from D. Capozzola re: Exclusion of reference to K&E as mainland attorneys; Review correspondence from M. Dillon re: Updated files requested by T. Hogan; Review correspondence from D. Capozzola re: JIS on inadvertent infringement, statutory damages; Research case re: Stacking of	2.60 125.00/hr	325.00

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	<u>Hrs/Rate</u>	<u>Amount</u>
statutory awards; Update witness binders of experts; Draft direct exam of A. Waiolama; Draft outline of objections to Berry's proposed exhibits		
12/20/05 Draft and revise direct exam of M. Dillon, a. Waiolama and J. Rio; Draft direct exam of S. Purdy; Review correspondence from D. Capozzola re: Trial; Review draft of MILs; Draft correspondence to M. Dillon re: asp,.rpt and mdb files; Review correspondence and files from M. Dillon re: asp,.rpt., mdb files; Review emails produced in discovery for trial exhibits; Strategize re: Exhibits for trial	5.90 125.00/hr	737.50
12/21/05 Review trial brief and concise statement; Review emails porduced in discovery; Draft table for objections to Berry's proposed exhibits; Review corresopndence from L. Smith re: Need to protect against future infringement; Draft correspondence to M. Dillon re: Same; Review memo re: Exhibits; Review Motion for Summary Judgment re: Damages for trial memo; Draft outline of opening and closing statements; Research issue of actual and statutory damages; Conference call with D. Capozzola and L. Smith re: Trial exhibits; Draft memo to file re: Trial exhibits; Draft trial memo re: Damages	6.50 125.00/hr	812.50

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	<u>Hrs/Rate</u>	<u>Amount</u>
12/22/05 Research permanent injunction, effect of no preliminary injunction; Review pleadings for basis of future infringement; Draft outline of opposition; Conference call with D. Capozzola and M. Walker re: Exhibits; Draft correspondence to M. Dillon and T. Noa re: Need input on trial exhibits; Review correspondence from M. Dillon re: Exposure to future liability on files requested by T. Hogan; Update expert witness binders; Draft memo re: Dillon's explanations for 7 differences	5.60 125.00/hr	700.00
12/23/05 Review correspondence from D. Capozzola re: Conference call; Draft correspondence to M. Dillon re: Explanation of fields in database; Draft correspondence to B. Christensen re: HEX data entry clerk; Place telephone call to M. Dillon re: Availability for conference call; Place telephone call to T. Noa re: Availability for conference call; Conference call with D. Capozzola, M. Walker, M. Dillon and T. Noa re: Exhibits; Draft table of Berry's proposed exhibits	3.10 125.00/hr	387.50
12/26/05 Conference call with J. Kinrich, K. Gold, E. Liebeler, L. Smith, T. Noa and M. Dillon re: Kinrich's powerpoint presentation, trial exhibits; Review exhibit list; Conference call with M. Walker, T. Noa, M. Dillon and L. Smith re: Trial exhibits; Place telephone	3.80 125.00/hr	475.00

Louis J. Price, Esq.

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	<u>Hrs/Rate</u>	<u>Amount</u>
call to M. Dillon re: 7 fields as diagram in M. Walker's presentation; Review files from M. Dillon as requested by Hogan/Berry		
12/27/05 Draft correspondence to T. Yee re: Use of equipment at trial; Review correspondence from O. Samad re: Trial exhibits; Review correspondence from T. Yee re: Trial exhibits; Review correspondence from L. Smith re: Trial exhibits; Review correspondence from D. Capozzola re: Trial exhibits; Review warning infringement letters to employees; Draft outline of MIL re: Infringement letters; Research issue of relevance; Reivew Fleming's exhibits; Meet with D. Matsuda re: Copies of Plaintiff's exhibits to clients for review and comment; Draft table of objections to Berry's exhibits	3.20 125.00/hr	400.00
12/28/05 Create trail exhibit binders for clients; Review CD-Rom form Berry re: Trial exhibits; Strategize re: Trial preparation, testimony of clients; Draft correspondence to M. Dillon, T. Noa and B. Christensen re: Trial preparation; Place telephone call to B. Christensen re: Served with trial subpoena; Draft correspondence to L. Smith re: Subpoena on BC and trial prep	2.00 125.00/hr	250.00
SUBTOTAL:	[90.50	11,312.50]

Louis J. Price, Esq.

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	<u>Hours</u>	<u>Amount</u>
For professional services rendered	189.80	\$31,272.50
Additional charges:		
<u>LHO</u>		
12/8/05 Xerox		3.40
Fax		9.00
12/27/05 Postage		5.30
Xerox		76.20
12/28/05 Postage		16.80
Xerox		617.60
SUBTOTAL:		<u>[728.30]</u>
Total costs		<u>\$728.30</u>
Service tax		<u>\$1,302.81</u>
Total amount of this bill		<u>\$33,303.61</u>
Previous balance		\$18,150.06
1/8/06 Payment - thank you		<u>(\$18,150.06)</u>
Balance due		<u><u>\$33,303.61</u></u>

Lyle S. Hosoda & Associates
 345 Queen St., Ste. 804
 Honolulu HI 96813

Invoice submitted to:
 Louis J. Price, Esq.
 McAfee & Taft
 211 N. Robinson Ave., 10th Floor
 Oklahoma City OK 73102

February 14, 2006

Invoice #11840

Professional services

	<u>Hrs/Rate</u>	<u>Amount</u>
<u>CSK</u>		
1/23/06 Prepare for deposition; Attend deposition of J. Borja	2.40 125.00/hr	300.00
SUBTOTAL:	[2.40	300.00]
<u>CTC</u>		
1/16/06 Prepare for Trial; Place telephone call to L. Oyama from Accucopy; Arrange A/V equipment to be available at trial	0.30 125.00/hr	37.50
1/20/06 Place telephone call to Clerk's office re: Juror cards; Review juror cards; Prepare for juror selection	0.90 125.00/hr	112.50
SUBTOTAL:	[1.20	150.00]

Louis J. Price, Esq.

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	<u>Hrs/Rate</u>	<u>Amount</u>
<u>KM</u>		
1/4/06 Brief cases for "Damages research case law"	1.60 85.00/hr	136.00
1/5/06 Continue to brief cases for "Damages research case law"	3.10 85.00/hr	263.50
1/6/06 Research Nimmer on Copyright at the Supreme Court Library; Brief cases for "Damages research case law"	4.50 85.00/hr	382.50
SUBTOTAL:	[9.20	782.00]
<u>LHO</u>		
1/1/06 Trial preparation	3.00 200.00/hr	600.00
1/2/06 Trial preparation	3.50 200.00/hr	700.00
1/3/06 Exchange correspondence with defense counsel; Place telephone call to clients; Trial preparation	4.50 200.00/hr	900.00
1/4/06 Trial preparation; Communicate with defense counsel	4.00 200.00/hr	800.00
1/5/06 Trial preparation	4.00 200.00/hr	800.00
1/6/06 Prepare for Trial; Communicate with defense counsel; Work on MILs	3.50 200.00/hr	700.00
1/7/06 Prepare for Trial; Oppositions to Motion in Limine and exhibits	5.00 200.00/hr	1,000.00

Louis J. Price, Esq.

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	<u>Hrs/Rate</u>	<u>Amount</u>
1/8/06 Prepare oppositions to motions in limine; Review exhibits; Exchange correspondence	4.00 200.00/hr	800.00
1/9/06 Prepare for Trial; Work on oppositions to Motions in limine	5.00 200.00/hr	1,000.00
1/10/06 Work on Trial brief; Oppositions to Motions in Limine; Objections to Exhibits and other pre-trial filings; Correspondence with defense counsel	7.00 200.00/hr	1,400.00
1/11/06 Prepare for trial; Prepare witness binders; Meeting with clients in Kapolei	8.00 200.00/hr	1,600.00
1/12/06 Prepare for trial; Review documents; Review correspondence from defense counsel; Conference call with client	7.00 200.00/hr	1,400.00
1/13/06 Prepare for Trial; Exchange email correspondence and strategize with defense counsel; Meeting with T. Noa	7.50 200.00/hr	1,500.00
1/14/06 Trial preparation	6.50 200.00/hr	1,300.00
1/15/06 Prepare for Trial	4.00 200.00/hr	800.00
1/16/06 Conference call; Prepare M. Walker; Conference call - prepare J. Kinrich; Correspondence with clients; Conference call with T. Noa and M. Dillon; Review documents; Prepare for Trial	8.50 200.00/hr	1,700.00

Louis J. Price, Esq.

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	<u>Hrs/Rate</u>	<u>Amount</u>
1/17/06 Exchange correspondence with defense counsel; Review exhibits; Prepare for Trial	6.20 200.00/hr	1,240.00
1/18/06 Meeting with witnesses; Prepare for trial	4.00 200.00/hr	800.00
1/19/06 Prepare witnesses for trial; Meeting with witnesses in Kapolei; Exchange correspondence with defense counsel; Prepare for motions in limine	8.00 200.00/hr	1,600.00
1/20/06 Meeting with clients and witnesses; Prepare for trial; attend Motions in limine	8.50 200.00/hr	1,700.00
1/21/06 Meeting with defense counsel; Meeting with witnesses; Prepare for Trial	12.00 200.00/hr	2,400.00
1/22/06 Meeting with defense counsel; Prepare witnesses for trial	12.00 200.00/hr	2,400.00
1/23/06 Prepare for and attend trial	14.00 200.00/hr	2,800.00
1/24/06 Prepare for and attend trial; Meeting with defense counsel; Meeting with Plaintiff's counsel re: Document production	12.50 200.00/hr	2,500.00
1/25/06 Meeting with defense counsel; Meeting with Plaintiff's counsel; Review documents produced; Meeting with T. Noa and M. Dillon; Review documents	6.50 200.00/hr	1,300.00

Louis J. Price, Esq.

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	<u>Hrs/Rate</u>	<u>Amount</u>
1/26/06 Review transcripts; Meeting with A. Chun re: Understanding and foundation for financial statements; Meeting with D. Capozzola and L. Smith with M. Dillon and T. Noa re: Operation of FCS 1993	8.00 200.00/hr	1,600.00
1/27/06 Meeting with defense counsel, M. Dillon and T. Noa	6.50 200.00/hr	1,300.00
1/30/06 Meeting with clients and D. Capozzola in Kapolei; Appearance before Judge Mollway at status conference	5.50 200.00/hr	1,100.00
1/31/06 Exchange correspondence with clients; Research re: Jury instruction; Work on closing argument; Correspondence with defense counsel	2.50 200.00/hr	500.00
 SUBTOTAL:	 [191.20	 38,240.00]
 RM		
1/2/06 Review draft of Motions in limine; Draft comments; Review Plaintiff's trial exhibits; Draft correspondence to T. Noa re: Exhibits; Strategy meeting with L. Smith and T. Yee re: Trial; Draft Final Naming of Witnesses; Draft proposed voir dire questions; Revise direct of M. Dillon; Draft outline of direct of T. Noa and B. Christensen; Draft correspondence to L. Smith re: B. Dechter; Draft correspondence to O. Samad and T. Yee re: Final draft of Final naming of witnesses	6.90 125.00/hr	862.50

Louis J. Price, Esq.

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	<u>Hrs/Rate</u>	<u>Amount</u>
1/3/06 Revise direct of M. Dillon; Draft direct of T. Noa; Place telephone call to T. Yee re: Motions in Limine, final naming of witnesses; Research Special Master pleadings and correspondence re: Expert deadlines; Draft correspondence to O. Samad re: Expert deadlines; Prepare trial binders for clients; Meet with T. Yee re: Joint FNW; File joint FNW thru after hours filing; Place telephone call to T. Yee; Draft correspondence to defense counsel re: Joint FNW	6.10 125.00/hr	762.50
1/4/06 Create trial binders for clients; Review MILs; Place telephone call to Judge Mollway's clerk re: Filing all future documents electronically; Place telephone call to T. Yee re: Electronic filing and oppositions to Berry's MILs; Research Nimmer on copyright damages; Review and took notes on Berry's motion for permanent injunction	5.50 125.00/hr	687.50
1/5/06 Review docket; Draft outline of opposition to motion for permanent injunction; Review correspondence from T. Hogan re: Exhibits; Update trial exhibits binder; Review electronic case filing notices; Review correspondence from T. Noa re: Travel arrangements; Research issue of permanent injunction	3.90 125.00/hr	487.50
1/6/06 Review correspondence from D. Capozzola re: Opposition to Berry's MIL re: Dechter, Kinrich and deductible costs; Draft outline re: Opposition to MIL re: Vendetta as to M. Dillon; Place	4.20 125.00/hr	525.00

Louis J. Price, Esq.

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	<u>Hrs/Rate</u>	<u>Amount</u>
<p>telephone call to B. Sakamoto re: FNW; Review correspondence from B. Sakamoto re: File-marked FNW; Draft correspondence to T. Hogan re: File marked FNW; Review and draft comments and objections to Berry's trial exhibits; Review correspondence from T. Yee and O. Samad re: Objections to trial exhibits; Review correspondence from D. Capozzola re: Jury instructions; Draft correspondence to M. Dillon re: Trial exhibits; Review correspondence from L. Smith re: Trial exhibits, declaration; Draft memo re: Electronic filing; Draft response statements to Berry's MILs</p>		
<p>1/7/06 Review and draft comments and objections to trial exhibits; Update expert witness binders; Draft notes re: Opposition to Berry's MILs; Summarize deposition of T. Ueno; Review correspondence from M. Dillon re: Exhibits and trial preparation; Draft correspondence to T. Noa re: Travel arrangements</p>	<p>3.60 125.00/hr</p>	450.00
<p>1/8/06 Draft joinders to PCT's opposition to MIL, trial brief; Draft voir dire questions; Draft comments and objections to exhibits; Draft correspondence to O. Samad and T. Yee re: Objections to exhibits; Draft correspondence to LH re: Comments to objections to MILs; Draft outline of opposition to MIL to exclude evidence of vendetta</p>	<p>2.50 125.00/hr</p>	312.50

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	<u>Hrs/Rate</u>	<u>Amount</u>
1/9/06 Review correspondence from O. Samad re: Need dec from B. Christensen; Place telephone call to B. Christensen re: Use of old labels referencing Fleming Companies; Conference call with O. Samad and B. Christensen re: Same; Draft correspondence to O. Samad re: Dec of B. Christensen; Review correspondence from B. Christensen re: C&S purchase of Fleming's assets; Review comments from D. Capozzola, T. Yee and L. Smith re: Berry's trial exhibits; Draft response to Berry's MIL re: Vendetta, API records and unrelated prior judgments; Reivew draft oppositions to MILs; Review draft verdict forms; Draft joinders to PCT's jury instructions, other response to remaining MILs, verdict forms and trial brief	6.20 125.00/hr	775.00
1/10/06 Place telephone call to O. Samad re: B. Christensen; Conference call with B. Christensen and O. Samad re: Best Yet; Review draft dec of B. Christensen; Revise and finalize joinders to PCT's trial documents; Draft opposition to Berry's MIL re: Vendetta, API records, and unrelated judgment; Electronically filed all trial documents; Place telephone call to T. Yee re: Filing	7.00 125.00/hr	875.00
1/11/06 Download and review oppositions, trial brief, statement of case, jury instructions, verdict forms filed by Berry; Review draft dec of B. Christensen; Place telephone call to O. Samad re: B.	6.60 125.00/hr	825.00

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	<u>Hrs/Rate</u>	<u>Amount</u>
Christensen's dec; Place telephone call to L. Smith re: Opposition to injunction motion; Conference call with B. Christensen, D. Capozzola and L. Smith re: Best Yet labeling trial prep; Draft correspondence to T. Noa re: Arrangements; Strategize re: Opposition to injunction; Draft opposition to injunction; Place telephone call to B. Christensen re: Draft declaration and meeting with employees		
1/12/06 Meet with clients re: Trial; Meet with B. Christensen re: Trial; Place telephone call to B. Christensen re: Declaration; Place telephone call to T. Yee re: B. Christensen's dec; Place telephone call to T. Yee re: C&S opposition to injunction; Review Fleming's opposition to injunction; Place telephone call to L. Smith re: Opposition to injunction; Review previous SJ orders; Draft opposition to injunction; Shepardize cases cited in opposition; Pull and creat pdf of exhibits for opposition to injunction; Draft dec re: Exbhitis; Revise and finalize opposition to injunction; Electronically filed opposition to injunction; Place telephone call to T. Noa re: Trial prep	7.90 125.00/hr	987.50
1/13/06 Review correspondence from D. Capozzola re: Trial prep, timeline; arguments on MILs; Draft correspondence to D. Capozzola re: Trial exhibits; Review	1.10 125.00/hr	137.50

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	<u>Hrs/Rate</u>	<u>Amount</u>
correspondence from D. Capozzola re: Preparation of witnesses; Draft outline of direct exam of T. Noa		
1/14/06 Summarize deposition of T. Ueno; Draft direct exam of T. Noa	3.20 125.00/hr	400.00
1/16/06 Conference call with M. Walker, D. Capozzola, L. Smith and T. Noa re: FCS; Conference call with J. Kinrich, K. Gold, L. Smith and D. Capozzola re: Direct exam at trial, trial prep; Review correspondence from D. Capozzola re: Trial prep; Review outline of direct exam of J. Kinrich; Review correspondence from D. Capozzola re: Emails re: Spreadsheets; Review correspondence to clients re: Trial prep; Revise direct exams of A. Waiolama and J. Rio	3.60 125.00/hr	450.00
1/17/06 Review correspondence from D. Capozzola re: Direct exams of M. Dillon, T. Noa, other clients; Review correspondence from D. Capozzola re: Trial exhibits; Review correspondence from T. Hogan re: Trial subpoena on Berry; Draft correspondence to D. Capozzola re: Direct exam of T. Noa; Revise direct of J. Rio; Revise exam of M. Dillon; Draft direct of T. Noa; Review plaintiff's exhibits; Review Kinrich report; Draft correspondence to J. Fukumoto and S. Purdy re: Trial; Review correspondence from L. Smith to Court re: B. Dechter	8.90 125.00/hr	1,112.50

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	<u>Hrs/Rate</u>	<u>Amount</u>
1/18/06 Review Berry's supplemental dec in opposition to MILs; Draft outline of cross-prep of T. Noa; Review emails specifically sent by T. Noa; Draft exhibits chart for review with other employees; Review correspondence from T. Hogan re: Object to taking B. Dechter out of order; Conference call with Judge Mollway re: Taking B. Dechter out of order, preference is to do by video conference; revise direct of M. Dillon; Review correspondence from L. Smith; Review correspondence from O. Samad re: Trial prep; Review direct exams of J. Kinrich, B. Dechter and M. Walker; Review cross exam of W. Berry	7.30 125.00/hr	912.50
1/19/06 Meet with J. Rio, M. Ponce, A. Waiolama and T. Noa re: Trial prep; Place telephone call to S. Purdy re: Trial prep; Review Berry's trial brief, concise statement, special verdict form to track issues will raise at trial; Review Berry's exhibits for question areas will ask employees; Strategize re: Clients presence at trial, direct examination, jury selection; Review memo re: Audio-visual for trial; Draft correspondence to defense counsel re: Same; Review MILs; Draft summary in prep for hearing on MILs	8.50 125.00/hr	1,062.50
1/20/06 Place telephone call to J. Fukumoto re: Trial; Meet with J. Fukumoto re: Trial prep; Place telephone call to S. Purdy re: Trial prep; Review correspondence from A. Waiolama re: Trial prep	10.10 125.00/hr	1,262.50

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	<u>Hrs/Rate</u>	<u>Amount</u>
over weekend; Review PCT's MILs; Prepare for hearing on MIL; Meet with E. Liebeler and D. Capozzola re: MIL hearing; Attend hearing on MILs; Meet with defense counsel team re: Trial issues, strategy, examination of witnesses HEX issue; Revise direct exam of M. Dillon		
1/21/06 Revise direct exam of M. Dillon; Draft direct exam of B. Christensen; Review revise direct of T. Noa; Meet with defense team re: Strategy for trial, issues for trial; Meet with T. Noa for direct examination; Review and revise direct exam of T. Noa; Meet with M. Dillon and prepare for direct examination; Revise direct exam of M. Dillon	15.40 125.00/hr	1,925.00
1/22/06 Review notes from prep sessions; Revise direct exams of T. Noa and M. Dillon; Meet with T. Noa and prepare client for direct exam; Meet with M. Dillon and Prepare client for direct exam; Revise examination outlines; Meet with B. Christensen and prepare client for direct and cross exam; Revise direct exam of B. Christensen; Prepare subpoena of A. Chun; Review MSJ re: Damages for areas of cross exam of other employees; Draft Memo re: Employees had no license to use FCS	13.00 125.00/hr	1,625.00
1/23/06 Revise direct of B. Christensen; Revise direct of M. Dillon; Note areas of cross exam for M. Dillon; Note areas of cross exam of other employees; Place telephone call to	12.70 125.00/hr	1,587.50

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	<u>Hrs/Rate</u>	<u>Amount</u>
<p>A. Chun re: Subpoena and trial testimony; Review supplemental brief re: HEX; Place telephone call to T. Yee re: Videoconferencing and courtroom setup of equipment; Place telephone call to S. Purdy re: Trial; Review jury cards; Review jury pool spreadsheet; Meet with T. Noa and M. Dillon re: Plaintiff's trial exhibits; Meet with G. Holmes and S. Dunn re: Setup of Elmo and projector; Meet with S. Platt re: Set up of live feed of transcript; Meet with T. Noa re: Witness direct exam prep; Meet with defense counsel re: First day of trial, jury selection, opening statements; Place telephone call to J. Fukumoto re: First day of trial; Place telephone call to S. Purdy re: First day of trial; Place telephone call to rest of employees re: First day of trial; Meet with defense counsel re: Opening statement; Place telephone call to T. Yee re: Transcripts of employees; Meet with L. Hosoda re: Direct exam of other employees; Review analysis of prospective jurors; Review revise direct of B. Christensen; Prepare documents, exhibits, trial binders</p>		
<p>1/24/06 Prepare for trial; Meet with clients; Attend trial, jury selection, court hearing re: Guidance materials; Attend court re: Hearing continuance of trial, same jury held over to new date for trial; Attend meeting with T. Hogan, W. Berry and defense</p>	<p>9.50 125.00/hr</p>	1,187.50

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	<u>Hrs/Rate</u>	<u>Amount</u>
counsel re: Guidance materials; Place telephone call to T. Asato re: Courier of original Guidance drive sent to M. Walker; Meet with L. Smith and M. Walker re: Continued trial, impact of materials produced by Guidance; Place telephone call to T. Noa and M. Dillon re: Meeting to show us how FCS worked; Review first day trial transcript		
1/25/06 Reorganized and update trial exhibits, juror cards, notes from 1st day jury trial and prep of clients; Review trial transcript for court's ruling on HEX issues, Guidance materials, Berry's case in chief, concise statement read by court; Draft memo re: New deadlines, issues needed to brief in light of recent production of discovery; Place telephone call to T. Yee re: Plaintiff's exhibit 33; Review correspondence re: Hogan's supplement of Exhibit 33; Meet with T. Noa re: FCS; Place telephone call to M. Dillon re: Meeting; Review correspondence from B. Sakamoto re: Exhibits; Review correspondence from L. Smith re: A. Chun; Review correspondence from J. Keane re: Trial prep; Review correspondence from S. Platt re: Real time and trial transcripts; Meet with T. Noa, M. Dillon and D. Capozzola re: FCS	7.50 125.00/hr	937.50
1/26/06 Meet with M. Dillon, T. Noa re: Database; Review transcript from first trial re: Concise statement read to jury, court's ruling re:	4.70 125.00/hr	587.50

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	<u>Hrs/Rate</u>	<u>Amount</u>
HEX, deadlines; Review Berry's oppositions to MSJ on damages for prep of trial; Conference call with T. Fujinaga re: Original transcripts; Meet with L. Hosoda re: Questions for employees and trial strategy		
1/27/06 Meet with T. Yee and O. Samad re: Additional trial exhibits from Plaintiff; Meet with D. Matsuda re: Court reporter and depositions of clients; Meet with M. Dillon and T. Noa re: Database	8.30 125.00/hr	1,037.50
1/30/06 Review correspondence from L. Smith, E. Liebeler re: Status conference; Attend status conference with Judge Mollway; Meet with D. Capozzola, J. Rio and M. Dillon re: Database; Meet with M. Dillon and A. Waiolama re: Database; Review correspondence from M. Dillon; Draft correspondence to M. Dillon re: Protective order	5.20 125.00/hr	650.00
1/31/06 Place telephone call to A. Waiolama re: Protective order; Draft correspondence to A. Waiolama and J. Rio re: Protective order; Review correspondence from M. Dillon re: Protective order; Draft correspondence to D. Capozzola re: Protective order; Review minute order re: Status conference; Organize and index trial materials, direct exams, transcripts; Draft memo re: Damages, relevance of employees' direct testimony; Draft letter to HR manager S. Purdy re: Trial; Draft correspondence to S. Purdy	5.20 125.00/hr	650.00

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	<u>Hrs/Rate</u>	<u>Amount</u>
re: Review and comment on letter to HR manager; Review correspondence from S. Purdy re: Contact info for HR manager; Draft correspondence to T. Hogan re: Additional exhibits		
SUBTOTAL:	[184.60	23,075.00]
For professional services rendered	388.60	\$62,547.00
Additional charges:		
<u>LHO</u>		
11/23/05 Professional services rendered by Clyde W. Matsui, Esq.		2,887.26
1/3/06 Postage		2.49
Xerox		4.60
Fax		8.00
1/4/06 Postage		0.37
Xerox		4.00
Fax		31.00
1/5/06 Postage		0.37
Xerox		1.20
1/6/06 Xerox		0.60
1/9/06 Airfare Teresa Noa		1,754.02

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	<u>Amount</u>
1/10/06 Fax	2.00
1/11/06 Xerox	28.40
1/12/06 Xerox	8.40
1/13/06 Xerox	19.20
1/20/06 Clerk of the US District Court	50.00
1/23/06 Xerox	46.40
Andrew Chun witness fee	52.00
1/24/06 Deposition transcript of Jack Borja	462.71
Professional services rendered by Anthony Shannon	60.00
1/26/06 Transcript from Stephen Platt	626.49
1/27/06 Fedex to T. Noa	84.89
1/31/06 Fax	4.00
2/1/06 Professional services rendered by Accucopy, lcd projector, vcr and Elomo visual presenter	364.58
 SUBTOTAL:	 <u>[6,502.98]</u>
 Total costs	 <u>\$6,502.98</u>
Service tax	\$2,605.71
Total amount of this bill	<u>\$71,655.69</u>
Previous balance	\$33,303.61

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	<u>Amount</u>
2/5/06 Payment - thank you	<u>(\$33,303.61)</u>
Balance due	<u>\$71,655.69</u>